

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

INVITATION TO PAY ADDITIONAL FEES

(PCT Article 17(3)(a) and Rule 40.1)

RECEIVED

OCT 24 2001

To:
GENENTECH, INC.
Attn. Conley, Deirdre L.
1 DNA Way MS49
South San Francisco, CA 94080-4990
UNITED STATES OF AMERICA

Date of mailing
(day/month/year) GENENTECH, INC.
16/10/2001 AL DEPT.

Applicant's or agent's file reference
P1819R1

PAYMENT DUE within 45 ~~XXXX~~ days/days
from the above date of mailing

International application No.
PCT/US 01/ 10482

International filing date
(day/month/year) 30/03/2001

Applicant

GENENTECH, INC.

1. This International Searching Authority

- (i) considers that there are 3 (number of) inventions claimed in the international application covered by the claims indicated ~~XXXX~~ on the extra sheet:

and it considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated ~~XXXX~~ on the extra sheet.

*Invitation to Pay Add. Fees - Not Extensible
30 NOV 01*

P1819R1 US 10482 - PCT Search Report - 23 NOV 01

- (ii) ☒ has carried out a partial international search (see Annex) ☐ will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.:
1-64, 84-92

- (iii) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid


2. The applicant is hereby **invited**, within the time limit indicated above, to pay the amount indicated below:

EUR 945,00 x 2 = EUR 1.890,00
Fee per additional invention number of additional inventions total amount of additional fees

Or, _____ x _____ = _____

The applicant is informed that, according to Rule 40.2(c), the payment of any additional fee may be made under protest, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

3. ☐ Claim(s) Nos. _____ have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the International Searching Authority
 European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Toñi Muñoz-Manneken

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-64,84-92

Microarrays, activated glass slides and methods for their preparation, in which surface silanization is carried out in toluene in the absence of acetone or an alcohol, as well as analysis methods in which these microarrays are used.

2. Claims: 65-83

Methods for preparing detectably labeled sDNA, cDNA or cRNA probes

3. Claims: 93-104

Methods of hybridizing a detectable polynucleotide probe to a target polynucleotide on a support surface.

From the definitions of the different subjects it can clearly be inferred that there is no technical relationship among the subjects involving one or more of the same or corresponding special technical features. Therefore, the requirement of unity of invention is not fulfilled. Reference is made to Rule 13.1 and 13.2 PCT.

1. The present communication is an Annex to the invitation to pay additional fees (Form PCT/ISA/206). It shows the results of the international search established on the parts of the international application which relate to the invention first mentioned in claims Nos.:
- 1-64, 84-92
2. This communication is not the international search report which will be established according to Article 18 and Rule 43.
3. If the applicant does not pay any additional search fees, the information appearing in this communication will be considered as the result of the international search and will be included as such in the international search report.
4. If the applicant pays additional fees, the international search report will contain both the information appearing in this communication and the results of the international search on other parts of the international application for which such fees will have been paid.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 99 20640 A (SENSORCHEM INTERNATIONAL CORP) 29 April 1999 (1999-04-29) page 35, line 28 -page 36, line 8; claims page 45, line 32 -page 46, line 14	1-64, 84-92
X	US 5 997 961 A (LIANG LIANG ET AL) 7 December 1999 (1999-12-07) column 7, line 63 -column 8, line 11; claims	41-54
A	EP 0 947 246 A (CORNING INC) 6 October 1999 (1999-10-06) page 2 -page 3	1-64, 84-92

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Patent Family Annex

Information on patent family members

International Application No

PCT/US 01/10482

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9920640	A	29-04-1999	US 6169194 B1	02-01-2001
			AU 9526098 A	10-05-1999
			WO 9920640 A2	29-04-1999
			EP 1023309 A2	02-08-2000
			US 6159695 A	12-12-2000
US 5997961	A	07-12-1999	US 6270903 B1	07-08-2001
EP 0947246	A	06-10-1999	EP 0947246 A1	06-10-1999
			CN 1314873 T	26-09-2001
			EP 1068155 A1	17-01-2001
			WO 9940038 A1	12-08-1999

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 01/10482

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 C03C17/34 C12Q1/68

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C03C C12Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, INSPEC, COMPENDEX, BIOSIS

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 99 20640 A (SENSORCHEM INTERNATIONAL CORP) 29 April 1999 (1999-04-29) page 35, line 28 -page 36, line 8; claims page 45, line 32 -page 46, line 14 ---	1-64, 84-92
X	US 5 997 961 A (LIANG LIANG ET AL) 7 December 1999 (1999-12-07) column 7, line 63 -column 8, line 11; claims ---	41-54
A	EP 0 947 246 A (CORNING INC) 6 October 1999 (1999-10-06) page 2 -page 3 -----	1-64, 84-92

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier document but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
"&" document member of the same patent family

Date of the actual completion of the international search

9 October 2001

Date of mailing of the international search report

27 02 2002

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

VAN BOMMEL, L